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UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

NADEEM FAROOQ, ) No. C 07-0090-MJJ

Plaintiff,

v.

U.S. Citizenship and Immigration Services;  
 EDUARDO AGUIRRE, Director, U.S.  
 Citizenship and Immigration Services;  
 GERARD HEINAUER, Director, USCIS  
 Nebraska Service Center; EVELYN  
 UPCHURCH, Director, USCIS Texas Service  
 Center; MICHAEL CHERTOFF, Secretary,  
 Department of Homeland Security;  
 ROBERT S. MUELLER, Director, Federal  
 Bureau of Investigations; ALBERTO  
 GONZALES, U.S. Attorney General,

Defendants.

**STIPULATION TO WITHDRAW  
 MOTION TO DISMISS AND TO  
 VACATE THE JUNE 5, 2007 HEARING  
 DATE; AND TO A BRIEFING  
 SCHEDULE ON THE FILING OF  
 DEFENDANTS' ANSWER AND THE  
 PARTIES' CROSS-MOTIONS FOR  
 SUMMARY JUDGMENT; AND  
~~PROPOSED~~ ORDER**

The plaintiff, by and through his attorney of record, and defendants, by and through their attorneys of record, hereby stipulate, subject to approval of the Court, to the following:

(1) Defendants withdraw their motion to dismiss, which was filed on March 9, 2007.

(2) The parties ask this Court to vacate the June 5, 2007 hearing date on the defendants' motion to dismiss

(3) The defendants will file an answer to the complaint on or before May 4, 2007.

(4) The parties shall limit their discovery, if any, to 10 interrogatories and 10 requests for admission, which shall be propounded by the close of business on May 4, 2007.

(5) The plaintiff will file a motion for summary judgment by July 3, 2007.

(6) The defendants will file an opposition/cross-motion by July 10, 2007.

(7) The plaintiff will file a reply/opposition by July 17, 2007

(8) The defendants will file a reply by July 24, 2007

(9) ~~The parties ask this Court for a hearing on August 7, 2007, at 9:30 a.m.~~

THE PARTIES' SUMMARY JUDGMENT MOTIONS ARE SET FOR HEARING ON  
AUGUST 14, 2007 AT 9:30 A.M.

Date: April 27, 2007

Respectfully submitted,

SCOTT N. SCHOOLS  
United States Attorney

/s/  
EDWARD A. OLSEN  
Assistant United States Attorney  
Attorneys for Defendants

Date: April 27, 2007

/s/  
ROBERT B. JOBE  
Law Office of Robert B. Jobe  
Attorneys for Plaintiff

### ORDER

Pursuant to stipulation, IT IS SO ORDERED.

Dated: 5/3/07



MARTIN J. JENKINS  
United States District Judge